



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of

Ryuji UENO, et al.

Appln. No.: 09/816,655

Group Art Unit: 1614

Confirmation No.: 5746

Examiner: Not Yet Assigned

Filed: March 26, 2001

For: APOPTOSIS INHIBITOR

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM UNDER 35 U.S.C. §119(e) FOR
THE BENEFIT OF A PRIOR FILED PROVISIONAL APPLICATION**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §1.78(a)(6), Applicants hereby petition the Commissioner to accept an unintentionally delayed claim under 35 U.S.C. §119(e) for the benefit of a prior filed provisional application.

Submitted herewith is (i) a check for \$1240.00 for the surcharge set forth in §1.17(t) and (ii) a statement that the entire delay between the date the claim under 35 U.S.C. §119(e) was due under 37 C.F.R. §1.78(a)(5) and the date the claim was filed was unintentional, as well as a sworn English translation of U.S. Provisional Application No. 60/191,755, the provisional application from which benefit is claimed. If any additional fee is needed for this Petition, please charge it to Deposit Account No. 19-4880. A duplicate copy of this Petition is attached. Favorable consideration of this Petition is respectfully requested.

Respectfully submitted,

Bruce E. Kramer
Registration No. 33,725

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Date: August 2, 2001

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OFFICE OF PETITIONS

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>9-15-01</u>		2 Serial/Patent # <u>09/816655</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input type="checkbox"/>	Filing			\$
<input type="checkbox"/>	Amendment			\$
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<input checked="" type="checkbox"/>	Petition	<u>3</u>	<u>8/2/01</u>	\$ <u>1240</u>
<input type="checkbox"/>	Issue			\$
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		7 TOTAL AMOUNT OF REFUND		\$ <u>1240</u>
10 REASON:		8 TO BE REFUNDED BY:		
<input type="checkbox"/>	Overpayment	<input type="checkbox"/> Treasury Check		
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<input checked="" type="checkbox"/>	No Fee Due (Explanation):	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> <u>1</u><u>9</u>--<u>4</u><u>8</u><u>8</u><u>0</u> </div>		
<u>P.O. # 78(a)(6) dismissed as prematurely filed</u>				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>L. Hicks</u>		TITLE: <u>Pats. Ex. N.</u>		
SIGNATURE: <u>[Signature]</u>		PHONE: <u>305-8680</u>		
OFFICE: <u>#700</u>				

THIS SPACE RESERVED FOR FINANCE USE ONLY:				
APPROVED: <u>[Signature]</u>		DATE: <u>9-19-01</u>		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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